

**MEMORANDUM**

**TO:** Andrew Rivera, Land Use Commissions Liaison  
Planning and Zoning Department

**FROM:** Andy Halm, Senior Property Agent  
Land Management Section  
Office of Real Estate Services

**DATE:** June 6, 2017

**SUBJECT:** F# 9680-1605 – Aerial Encroachment of a portion of East Cesar Chavez Street Right-of-Way by a cantilevered / overhead enclosed building space near the intersection of East Cesar Chavez Street and Trinity Street.

Attached are the departmental comments and other information pertinent to the referenced right of way vacation. **The area being requested for encroachment will be used for cantilevered / overhead enclosed building space for a new Marriott Hotel. This item was approved on consent at the May 23, 2017 Planning Commission meeting. A correction of square footage was made to the survey after backup material was supplied for the May 23, 2017 Planning Commission meeting. The error of square footage was recently discovered by staff. Correct encroachments are a 200 sf cantilevered / overhead enclosed building space and a 63 square foot cantilevered / overhead enclosed building space. Back up material previously supplied showed a 177 square foot and a 63 square foot encroachment. The file is being resubmitted for Planning Commission review with correct survey attached.** All affected departments and private utility franchise holders have reviewed this request and recommend approval.

The applicant has requested that this item be submitted for placement on the **June 13, 2017, Planning Commission Agenda** for their consideration.

Staff contact: Andy Halm at 974-7185 or [landmanagement@austintexas.gov](mailto:landmanagement@austintexas.gov)

Applicant: Richard Suttle  
Property Owner: South ½ Block 8 Venture

Mr. Richard Suttle will be present at the meeting to answer any questions regarding the project, if needed.

Andy Halm, Senior Property Agent  
Land Management Division

**OFFICE OF REAL ESTATE SERVICES**

Attachments

DEPARTMENT COMMENTS FOR THE ENCROACHMENT OF A PORTION OF THE EAST CESAR CHAVEZ STREET RIGHT OF WAY BY THE PROPOSED CANTILEVERED / OVERHEAD ENCLOSED BUILDING SPACE.

AT&T	APPROVE
AUSTIN ENERGY	APPROVE
AUSTIN RESOURCE RECOVERY	APPROVE
AUSTIN TRANSPORTATION	APPROVE
AUSTIN WATER	APPROVE
CAPITAL METRO	APPROVE
CODE COMPLIANCE	APPROVE
CTM – GAATN	APPROVE
DEVELOPMENT SERVICES (Land Use Review-Engineering)	APPROVE
DEVELOPMENT SERVICES (Land Use Review-Transportation)	APPROVE
EMS	APPROVE
FIRE	APPROVE
GOOGLE	APPROVE
GRANDE COMMUNICATIONS	APPROVE
PARD	APPROVE
PLANNING & ZONING (Comprehensive Planning)	APPROVE
PLANNING & ZONING (Zoning Review)	APPROVE
PLANNING & ZONING (Urban Design)	APPROVE
PUBLIC WORKS	APPROVE
TEXAS GAS SERVICES	APPROVE
TIME WARNER	APPROVE
WATERSHED PROTECTION (Engineering)	APPROVE

MEMORANDUM

Case No.: 9680-1605
Date: May 2, 2016

SUBJECT: ENCROACHMENT OF STREET RIGHT OF WAY

- ( ) Lucy Cabading AT&T
( ) Jackie Chuter PARD
( ) Melody Giambruno Austin Energy
( ) David Marquez DSD (LUR-Engineering)
( ) Katrina Fenrick Austin Resource Recovery
( ) Sangeeta Jain DSD (LUR-Transportation)
( ) Rob Spillar Austin Transportation Director
( ) Mark Walters P&Z (Comp. Planning)
( ) Angela Baez Austin Water
( ) Humberto Rey P&Z (Urban Design)
( ) Roberto Gonzalez Capital Metro
( ) Wendy Rhoades P&Z (Zoning Review)
( ) Bruna Quinonez Code Compliance
( ) David Boswell PWD - Office of City Eng'r
( ) Carlo DeMatos CTM - GAATN
( ) Nadia Barrera PWD - Urban Trails
( ) Milissa Warren EMS
( ) Christian Barraza Texas Gas
( ) Frank Alvarez Fire
( ) Joseph Boyle Time Warner
( ) Scott Cunningham Google
( ) Katina Bohrer WPD (Engineering)
( ) Luis Mata Grande Communication

A request has been received for the aerial encroachment of the Cesar Chavez right-of-way by cantilevered / overhead enclosed building space (Adjacent to 306-316 East Cesar Chavez Street).

Please review this request and return your comments to Eric Hammack (974-7079), email address: landmanagement@austintexas.gov or Fax: 974-7088. Physical address: Office of Real Estate Services, 505 Barton Springs Road, Suite 1350. Due Date: May 16th, 2016.

APPROVAL: YES Yes, Subj. to Reqm't No

Comments:

Imagine Austin Comprehensive Plan - - - (CITY OF AUSTIN REVIEWERS ONLY):

Please also review the Vacation request based on the Priority Programs and policy directives set forth in the Imagine Austin Comprehensive Plan (page 186).

Comments:

Reviewed by:

Telephone:

Date:

**ARMBRUST & BROWN, PLLC**

ATTORNEYS AND COUNSELORS

100 CONGRESS AVENUE, SUITE 1300  
AUSTIN, TEXAS 78701-2744  
512-435-2300  
FACSIMILE 512-435-2360

LYNN ANN CARLEY, P.E.  
(512) 435-2378  
[lcarley@abaustin.com](mailto:lcarley@abaustin.com)

April 22, 2015

**HAND DELIVERY**

Eric Hammack  
City of Austin  
Office of Real Estate Services  
505 Barton Springs Road, 7<sup>th</sup> Floor  
Austin, Texas 78704

Re: 222 Square Foot Above Ground Encroachment Agreement for the Hotel at Cesar Chavez and Trinity

Dear Mr. Hammack,

Enclosed is an application for a 222 square foot above ground encroachment agreement for the proposed Hotel at Cesar Chavez and Trinity. This is one of three encroachment agreements being submitted. All three encroachments are located adjacent to Lots 1-6, Block 8, Original City of Austin subdivision, according to the map or plat of record in the General Land Office of the State of Texas. The three encroachment agreement applications are for the following:

1. 0.029 acre above ground protrusion of the building, including associated building infrastructure, located on the east side of the building adjacent to Trinity Street;
2. 0.098 acre below grade parking garage with associated utilities, site and building infrastructure; and
3. 222 square foot above ground protrusion of the building, including associated building infrastructure, located on the southeast corner of the building.

The following information is being provided to detail the reasons for the encroachment agreements.

1. These encroachments are for a commercial project.
2. The areas of encroachment were dedicated per plat.
3. The City did not purchase the area where the proposed encroachment will be located.
4. The encroachments do not currently exist. They are proposed.
5. For the two above grade encroachments, there are no utility lines in this area. For the below grade encroachment, we are currently coordinating to determine what utilities exist. However, we understand that relocation of the utility lines applies.

ARMBRUST &amp; BROWN, PLLC

Page 2

6. The above grade encroachment areas will be protrusions of the buildings into the ROW, including associated building infrastructure. The below grade encroachment area will be a parking garage, including associated utilities, site and building infrastructure.
7. A site plan has not been submitted at this time, but will be submitted in the next few months.
8. The project will be a unified development.
9. This project is not a SMART Housing Project.
10. The project is anticipated to begin in late 2017 or early 2018.
11. The adjacent properties to this site are developed.
12. No parking facilities currently exist.
13. This project does not lie within the UT boundaries.
14. This area does lie within the Downtown boundaries.
15. The proposed encroachments support the Priority Programs and policy directives set forth in the Imagine Austin Comprehensive Plan because:
  - a) the project is located in the downtown area, which is a Regional Center and expected to include the most density, tall buildings, and people. This location contributes to having a compact and connected Austin by putting density in appropriate locations from a land use and transportation perspective.
  - b) the project will obtain a two star rating in Austin Energy's Green Building Program, which will help to manage our water resources.
  - c) the project continues to grow Austin's economy, because it is located adjacent to the Convention Center, which promotes education systems, entrepreneurs, and local businesses. In addition, this helps to grow and invest in Austin's creative economy.
  - d) the Project will provide Great Streets sidewalks and streetscapes to promote pedestrian activity along all three of its street frontages. It should be noted that along Cesar Chavez Street, there is not sufficient width within the City's right-of-way to provide the full 18 foot width of a Great Streets' sidewalk. Therefore, approximately six to eight feet of the Applicant's property will be used for this purpose, which decreases the footprint of the building. This is a significant investment to creating a compact and connected Austin.

Upon your review of this information, please feel free to contact me if you have any questions.

Sincerely,



Lynn Ann Carley, P.E.  
Senior Land Development Consultant

Enclosures

Cc: Matt Frankiewicz  
Joe Isaja, P.E.

{W0692692.1}

Application for an Encroachment Agreement

File No. 9680-1805  
Department Use Only

DATE: 5-2-16  
Department Use Only

1. TYPE OF ENCROACHMENT

Encroachment Type:  Aerial  Sub-surface  Surface

List TYPE OF ENCROACHMENT to be placed on Public Property: 222 sf above ground protusion of the building, including associated building infrastructure

Has encroachment been installed prior to application:  Yes-  No

Adjoins property at the following street address: 306-316 E Cesar Chavez Street,  
102 Trinity Street

2. PROPERTY DESCRIPTION OF ENCROACHMENT AREA

Parcel #: 02-0502-1407 and 02-0502-1406

Survey & Abstract No. \_\_\_\_\_

Lot(s) 4-6 Block 8 Outlot \_\_\_\_\_

Subdivision Name: Original City of Austin

Plat Book \_\_\_\_\_ Page Number \_\_\_\_\_ Document Number \_\_\_\_\_

County/Records: Travis County; Deed Real Property Official Public

NOTE: Attach three dimensional metes and bounds survey of Encroachment area.

3. RELATED CASES

	FILE NUMBERS
Existing Site Plan: YES / NO	_____
Subdivision: Case: YES / NO	<u>Original City of Austin</u>
Building Permit: YES / NO	_____

4. APPLICANT INFORMATION

Name: Richard T. Suttle, Jr

Firm Name: Armbrust & Brown, PLLC

Address: 100 Congress Ave, Ste 1300 City: Austin State: TX

Zip: 78701 Phone: (512) 435-2300 Fax No.: (512) 435-2360

EMAIL ADDRESS: LCARLEY@ABAUSTIN.COM; RSUTTLE@ABAUSTIN.COM

5. DEVELOPER INFORMATION

Name: Matt Frankiewicz

Firm Name: White Lodging Services Corporation

Address: 701 E 83rd Avenue City: Merrillville State: IN

Zip: 46410 Phone: (219) 472-2985 Fax No.: ( )

6. LANDOWNER INFORMATION

Name: South 1/2 Block 8 Venture (as shown on Deed)

Address: 901 McCartney Drive City: Kingsland State: TX

Zip: 78639 Phone: (\_\_\_\_) \_\_\_\_\_ Fax No.: (\_\_\_\_) \_\_\_\_\_

Lienholder Name: \_\_\_\_\_

Lienholder Address: \_\_\_\_\_

Lienholder Phone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_

(If multiple owners are joining in this request – complete names, addresses on each, must be attached.)

7. LICENSEE INFORMATION, if other than Landowner (Tenant)

Name: Austin 20 Hotel, LLC

Address: 701 E 83rd Avenue City: Merrillville State: IN

Zip: 46410 Phone: (219) 472-2985 Fax No.: (\_\_\_\_) \_\_\_\_\_

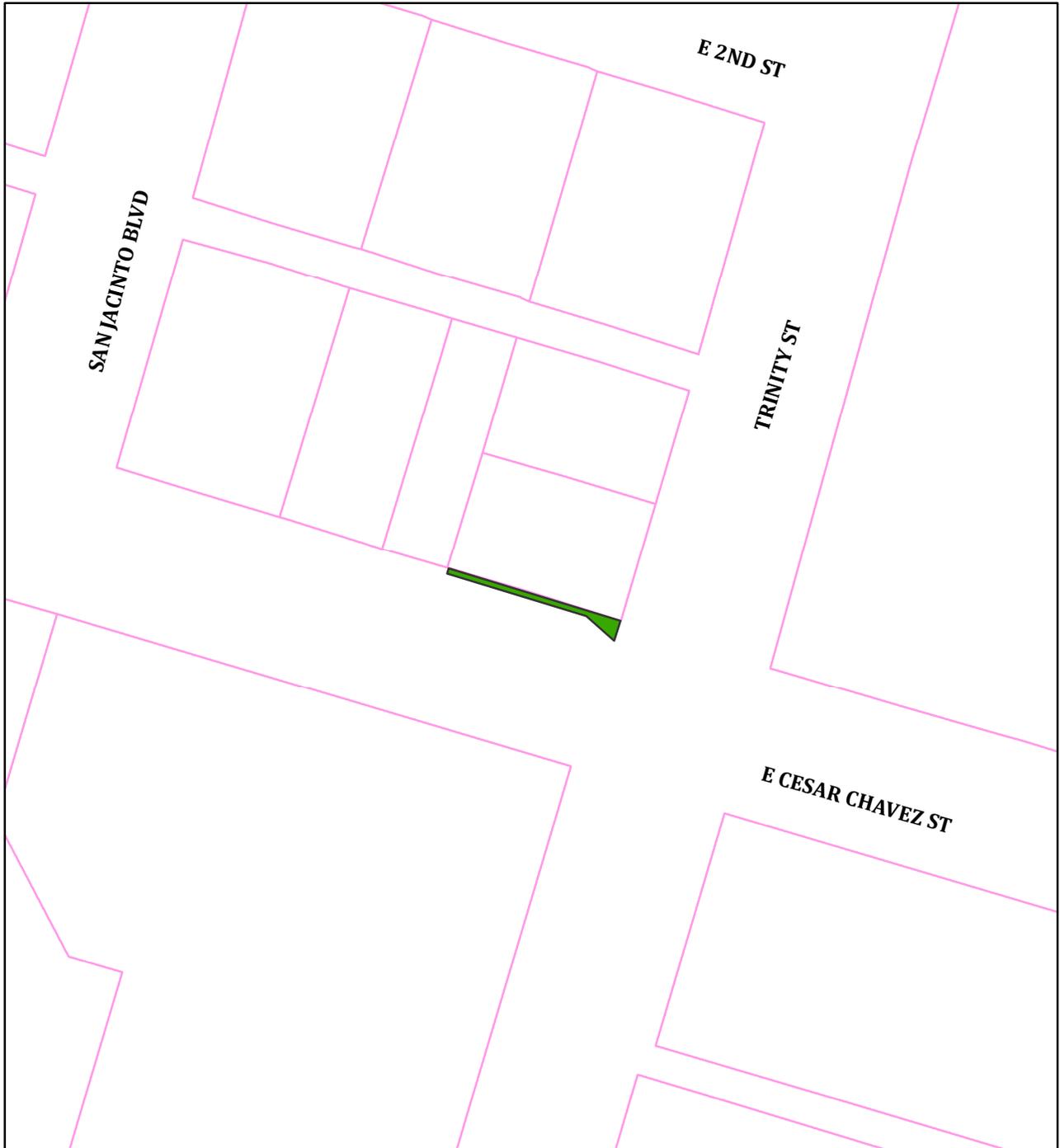
Contact Person: Matt Frankiewicz Phone: 219-472-2985

I the undersigned Applicant declare that the information provided in this application is true and correct. I have read and understand that the processing of this Application will be handled in accordance with the Procedure for Requesting an Encroachment Agreement and that no action on processing will be taken without payment of the non-refundable processing fee. I understand that acceptance of this application and fee in no way obligates the City to enter into an Encroachment Agreement. I understand that the value of the Right-of-Way, if allowed to be encroached, will be determined by the City of Austin, Real Estate Services Division, a certified check will be required before scheduling an agenda item for Council review and Certificate of Insurance must be presented before an agreement, if approved, is executed. It is further understood that the City is not responsible for any cost or inconvenience incurred by the Applicant when the application is not approved.

Signed By:  Applicant

Please check the appropriate box.

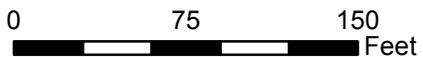
- Landowner
- Tenant
- Agent for Landowner
- Agent for Tenant



## Proposed Right-of-Way encroachment at E Cesar Chavez St at Trinity St



City of Austin  
Real Estate Services



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by the Office of Real Estate Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

Produced by CBoas, 5/15/2017

F#9680-1605

**EXHIBIT "A"**

CITY OF AUSTIN TO  
SOUTH 1/2 BLOCK 8 VENTURE  
A TEXAS GENERAL PARTNERSHIP  
(AERIAL ENCROACHMENT AGREEMENT)

200 SQUARE FEET  
CESAR CHAVEZ AND TRINITY  
HKS, INC.

FN NO. 17-160 (MJJ)  
MAY 18, 2017  
JOB NO. 222010160

**DESCRIPTION**

OF 200 SQUARE FEET OF LAND SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS BEING A PORTION OF THE EAST CESAR CHAVEZ STREET RIGHT-OF-WAY (80' WIDE) ADJACENT TO LOTS 4-6 OF BLOCK 8 ORIGINAL CITY OF AUSTIN, AS SHOWN BY THE MAP OR PLAT ON FILE AT THE GENERAL LAND OFFICE OF THE STATE OF TEXAS; SAID LOTS 4-6 CONVEYED TO SOUTH 1/2 BLOCK 8 VENTURE, A TEXAS GENERAL PARTNERSHIP BY DEED OF RECORD IN DOCUMENT NOS. 2014181564, 2014181561 AND 2014182472 ALL OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 200 SQUARE FEET OF LAND BEING LOCATED ABOVE THE PROPOSED FINISH SIDEWALK GRADE OF 463.0' (based on NAVD88) ON A LEVEL PLANE BEGINNING AT AN ELEVATION OF 487.0' (based on NAVD88) WHICH IS 24.0 FEET ABOVE THE PROPOSED FINISH SIDEWALK GRADE AND EXTENDING TO A HEIGHT OF 360.66 FEET ABOVE SAID PROPOSED FINISH SIDEWALK GRADE TO THE APPROXIMATE ELEVATION OF 823.66'; SAID 200 SQUARE FEET OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**COMMENCING**, at a 1/2 inch iron rod with "BURY" cap set at the intersection of the northerly right-of-way line of East Cesar Chavez Street (80' R.O.W.), with the westerly right-of-way line of Trinity Street (80' R.O.W.), being the southeasterly corner of said Lot 6;

**THENCE**, N73°28'36"W, leaving the westerly right-of-way line of Trinity Street, along the northerly right-of-way line of East Cesar Chavez Street, being the southerly line of said Lot 6, a distance of 32.54 feet to the **POINT OF BEGINNING** and northeasterly corner hereof;

**THENCE**, leaving the southerly line of said Lot 6, over and across the East Cesar Chavez Street right-of-way, for the easterly, southerly and westerly lines hereof, the following three (3) courses and distances:

- 1) S16°31'24"W, a distance of 2.91 feet to the southeasterly corner hereof;
- 2) N73°28'36"W, a distance of 68.58 feet to the southwesterly corner hereof;

FN NO. 17-160 (MJJ)  
MAY 18, 2017  
PAGE 2 OF 2

3) N16°31'24"E, a distance of 2.91 feet to a point in the northerly right-of-way line of East Cesar Chavez Street, being the southerly line of said Lot 4, for the northwesterly corner hereof, from which a 1/2 inch iron rod with "BURY" cap set at the intersection of the northerly right-of-way line of East Cesar Chavez Street, with the easterly right-of-way line of San Jacinto Boulevard (80' R.O.W.), being the southwesterly corner of Lot 1 of said Block 8 Original City of Austin of record bears, N73°28'36"W, a distance of 175.08 feet;

**THENCE**, S73°28'36"E, along the northerly right-of-way line of East Cesar Chavez Street, being the southerly line of said Lots 4-6, for the northerly line hereof, a distance of 68.58 feet to the **POINT OF BEGINNING**, containing an area of 200 square feet of land, more or less, within these metes and bounds.

**BEARING BASIS:** THE BASIS OF BEARING OF THE SURVEY SHOWN HEREON IS TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83(96), UTILIZING WESTERN DATA SYSTEMS CONTINUALLY OPERATING REFERENCE STATION (CORS) NETWORK AND ADDITIONALLY REFERENCED TO CITY OF AUSTIN GPS MONUMENTS.

I, MARK J. JEZISEK, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY STATE THAT THIS DESCRIPTION IS BASED UPON A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.

STANTEC, INC.  
221 WEST SIXTH STREET  
SUITE 600  
AUSTIN, TEXAS 78701

*Mark J. Jezisek 5/18/17*  
MARK J. JEZISEK  
R.P.L.S. NO. 5267  
STATE OF TEXAS  
TBPLS # F-10194230



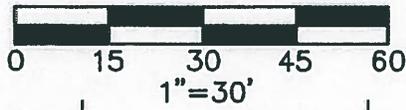
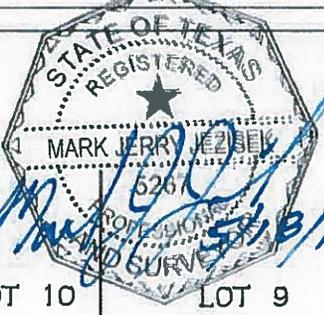
REFERENCES

AUSTIN GRID - J22  
TCAD PARCEL NOS. - 0205021406 & 0205021407

FIELD NOTES REVIEWED

By *John Daniel* Date *05-19-2017*

Engineering Support Section  
Department of Public Works  
and Transportation



LOT 10      LOT 9      LOT 8      LOT 7

**BLOCK 8**  
**ORIGINAL CITY OF AUSTIN**  
**ALLEY**  
(20' R.O.W.)

LOT 3      LOT 4      LOT 5      LOT 6

DEED LINE  
**SOUTH 1/2 BLOCK 8 VENTURE**  
E. 36' OF LOT 4,  
BLOCK 8  
DOC. NO. 2014181561

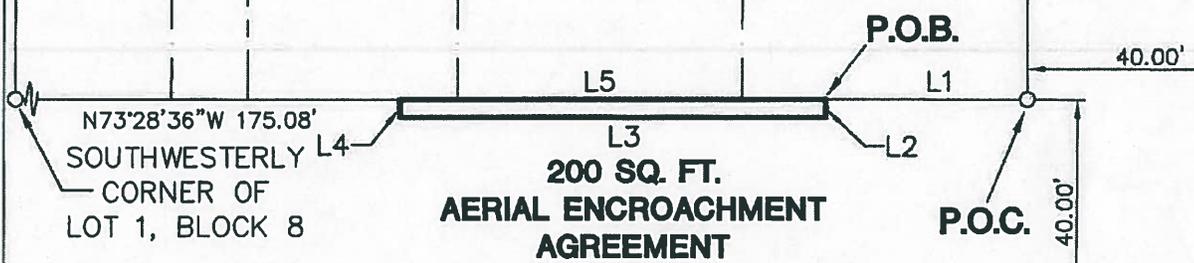
DEED LINE  
**SOUTH 1/2 BLOCK 8 VENTURE**  
LOT 3 AND A  
PORTION OF  
LOT 4,  
BLOCK 8  
DOC. NO.  
2014181564

**SOUTH 1/2 BLOCK 8 VENTURE,**  
N. 1/2 LOTS 5 AND 6 OF  
BLOCK 8  
DOC. NO. 2014182472

**SOUTH 1/2 BLOCK 8 VENTURE**  
S. 1/2 LOTS 5 AND 6 OF BLOCK 8  
DOC. NO. 2014181564

N16°33'50"E 128.23'

**TRINITY STREET (80' R.O.W.)**  
COA CENTERLINE S16°33'50"W 356.00'



**E CESAR CHAVEZ STREET (80' R.O.W.)**  
N73°28'36"W 356.22' COA CENTERLINE

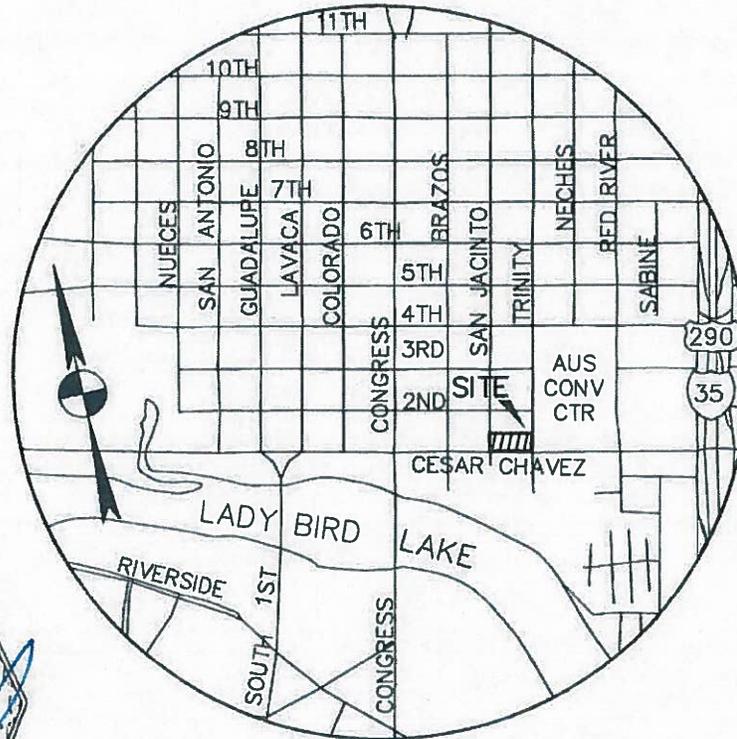
**Stantec**  
221 West Sixth Street, Suite 600  
Austin, Texas 78701  
Tel. (512) 328-0011 Fax (512) 328-0325  
TBPE # F-6324 TBPLS # F-10194230  
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**SKETCH TO ACCOMPANY DESCRIPTION**  
OF 200 SQUARE FEET OF LAND SITUATED IN THE CITY  
OF AUSTIN, TRAVIS COUNTY, TEXAS BEING A PORTION  
OF THE EAST CESAR CHAVEZ STREET (80' R.O.W.)  
ADJACENT TO LOTS 4-6 OF BLOCK 8 ORIGINAL CITY  
OF AUSTIN, BY THE MAP OR PLAT ON FILE AT THE  
GENERAL LAND OFFICE OF THE STATE OF TEXAS

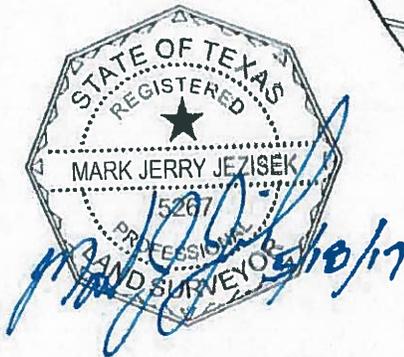
**HKS, INC.**

**SHEET 1 OF 2**

DATE: 05-18-17	DRAWN BY: MJJ	FN: 17-160(MJJ)	FILE: V:\222010160\SURVEY\222010160EX6.DWG	PROJECT No. 222010160
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**VICINITY MAP**  
N.T.S.



**BEARING BASIS NOTE:**

THE BASIS OF BEARING OF THE SURVEY SHOWN HEREON IS TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83(96), UTILIZING WESTERN DATA SYSTEMS CONTINUALLY OPERATING REFERENCE STATION (CORS) NETWORK.

LINE TABLE		
NO.	BEARING	DISTANCE
L1	N73°28'36"W	32.54'
L2	S16°31'24"W	2.91'
L3	N73°28'36"W	68.58'
L4	N16°31'24"E	2.91'
L5	S73°28'36"E	68.58'

**LEGEND**

- 1/2" IRON ROD FOUND
- 1/2" IRON ROD WITH "BURY" CAP SET
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT

**Stantec**  
221 West Sixth Street, Suite 600  
Austin, Texas 78701  
Tel. (512) 328-0011 Fax (512) 328-0325  
TBPE # F-6324 TBPLS # F-10194230  
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**SKETCH TO ACCOMPANY DESCRIPTION**  
OF 200 SQUARE FEET OF LAND SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS BEING A PORTION OF THE EAST CESAR CHAVEZ STREET (80' R.O.W.) ADJACENT TO LOTS 4-6 OF BLOCK 8 ORIGINAL CITY OF AUSTIN, BY THE MAP OR PLAT ON FILE AT THE GENERAL LAND OFFICE OF THE STATE OF TEXAS

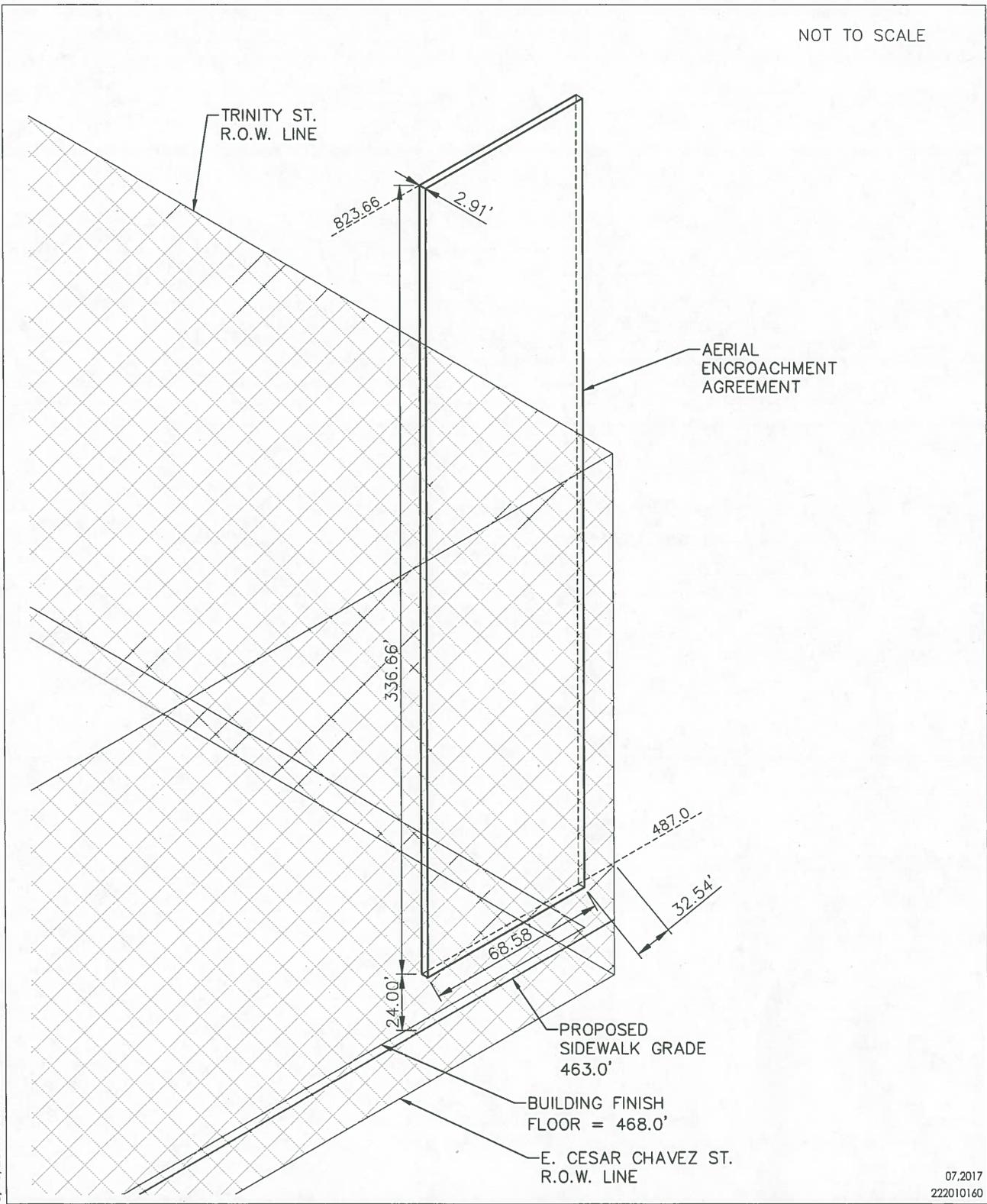
**HKS, INC.**

**SHEET 2 OF 2**

DATE: 05-18-17	DRAWN BY: MJJ	FN: 17-160(MJJ)	FILE: V:\222010160\SURVEY\222010160EX6.DWG	PROJECT No. 222010160
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NOT TO SCALE

V:\2220\ACTIVE\222010160\CIVIL\CAD\CD EXHIBITS\CESAR CHAVEZ ENCROACHMENT\ENCROACHMENTEXHIBIT 5.DWG  
5/18/2017 12:13 PM



221 West Sixth Street, Suite 600  
 Austin, TX 78701  
 TBPE # F-6324 TBPLS # 10194230  
 www.stantec.com

Client/Project

AUSTIN 20 HOTEL, LLC

MARRIOT HOTEL AT CESAR CHAVEZ

Figure No.

Title

BUILDING ENCROACHMENT

F#9680-1605

EXHIBIT "A"

CITY OF AUSTIN TO  
SOUTH 1/2 BLOCK 8 VENTURE  
A TEXAS GENERAL PARTNERSHIP  
(AERIAL ENCROACHMENT AGREEMENT)

63 SQUARE FEET  
CESAR CHAVEZ AND TRINITY  
HKS, INC.

FN NO. 17-159(MJJ)  
MAY 10, 2017  
JOB NO. 222010160

**DESCRIPTION**

OF 63 SQUARE FEET OF LAND SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS BEING A PORTION OF THE EAST CESAR CHAVEZ STREET RIGHT-OF-WAY (80' WIDE) ADJACENT TO LOT 6 OF BLOCK 8 ORIGINAL CITY OF AUSTIN, AS SHOWN BY THE MAP OR PLAT ON FILE AT THE GENERAL LAND OFFICE OF THE STATE OF TEXAS; SAID LOT 6 CONVEYED TO SOUTH 1/2 BLOCK 8 VENTURE, A TEXAS GENERAL PARTNERSHIP BY DEED OF RECORD IN DOCUMENT NOS. 2014181564 AND 2014182472 BOTH OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 63 SQUARE FEET OF LAND BEING LOCATED ABOVE THE PROPOSED FINISH SIDEWALK GRADE OF 463.0' (based on NAVD88) ON A LEVEL PLANE BEGINNING AT AN ELEVATION OF 573.0' (based on NAVD88) WHICH IS 110.0 FEET ABOVE THE PROPOSED FINISH SIDEWALK GRADE AND EXTENDING TO A HEIGHT OF 387.75 FEET ABOVE SAID PROPOSED FINISH SIDEWALK GRADE TO THE APPROXIMATE ELEVATION OF 850.75'; SAID 63 SQUARE FEET OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**COMMENCING**, at a 1/2 inch iron rod with "BURY" cap set at the intersection of the northerly right-of-way line of East Cesar Chavez Street (80' R.O.W.), with the westerly right-of-way line of Trinity Street (80' R.O.W.), being the southeasterly corner of said Lot 6;

**THENCE**, N73°28'36"W, leaving the westerly right-of-way line of Trinity Street, along the northerly right-of-way line of East Cesar Chavez Street, being the southerly line of said Lot 6, a distance of 0.92 feet to the **POINT OF BEGINNING** and northeasterly corner hereof;

**THENCE**, leaving the southerly line of said Lot 6, over and across the East Cesar Chavez Street right-of-way, for the easterly and southerly lines hereof, the following two (2) courses and distances:

- 1) S16°31'24"W, a distance of 4.90 feet to the southeasterly corner hereof;

2) N62°37'47"W, a distance of 26.02 feet to a point in the northerly right-of-way line of East Cesar Chavez Street, being the southerly line of said Lot 6, for the northwesterly corner hereof, from which a 1/2 inch iron rod with "BURY" cap set at the intersection of the northerly right-of-way line of East Cesar Chavez Street, with the easterly right-of-way line of San Jacinto Boulevard (80' R.O.W.), being the southwesterly corner of Lot 1 of said Block 8 Original City of Austin of record bears, N73°28'36"W, a distance of 249.73 feet;

**THENCE**, S73°28'36"E, along the northerly right-of-way line of East Cesar Chavez Street, being the southerly line of said Lot 6 for the northerly line hereof, a distance of 25.56 feet to the **POINT OF BEGINNING**, containing an area of 63 square feet of land, more or less, within these metes and bounds.

**BEARING BASIS:** THE BASIS OF BEARING OF THE SURVEY SHOWN HEREON IS TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83(96), UTILIZING WESTERN DATA SYSTEMS CONTINUALLY OPERATING REFERENCE STATION (CORS) NETWORK AND ADDITIONALLY REFERENCED TO CITY OF AUSTIN GPS MONUMENTS.

I, MARK J. JEZISEK, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY STATE THAT THIS DESCRIPTION IS BASED UPON A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.

STANTEC, INC.  
221 WEST SIXTH STREET  
SUITE 600  
AUSTIN, TEXAS 78701

*Mark J. Jezisek 5/10/17*  
MARK J. JEZISEK  
R.P.L.S. NO. 5267  
STATE OF TEXAS  
TBPLS # F-10194230



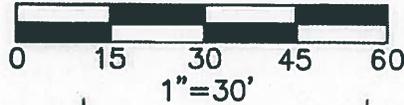
REFERENCES

AUSTIN GRID - J22  
TCAD PARCEL NOS. - 0205021406 & 0205021407

FIELD NOTES REVIEWED

By: *Chad D. ...* Date 05.15.2017

Engineering Support Section  
Department of Public Works  
and Transportation



LOT 10

LOT 8

LOT 7

BLOCK 8  
ORIGINAL CITY OF AUSTIN  
ALLEY  
(20' R.O.W.)

LOT 3

LOT 4

LOT 5

LOT 6

SOUTH 1/2  
BLOCK 8  
VENTURE  
LOT 3 AND A  
PORTION OF  
LOT 4,  
BLOCK 8  
DOC. NO.  
2014181564

DEED LINE

SOUTH 1/2 BLOCK 8 VENTURE  
E. 36' OF LOT 4,  
BLOCK 8  
DOC. NO. 2014181561

DEED LINE

SOUTH 1/2 BLOCK 8 VENTURE,  
N. 1/2 LOTS 5 AND 6 OF  
BLOCK 8  
DOC. NO. 2014182472

DEED LINE

SOUTH 1/2  
BLOCK 8  
VENTURE  
S. 1/2 LOTS 5  
AND 6 OF  
BLOCK 8  
DOC. NO.  
2014181564



N16°33'50"E 128.23'

TRINITY STREET (80' R.O.W.)

COA CENTERLINE S16°33'50"W 356.00'

40.00'

40.00'

40.00'

N73°28'36"W 249.73'

SOUTHWESTERLY  
CORNER OF  
LOT 1, BLOCK 8

63 SQ. FT.  
AERIAL ENCROACHMENT  
AGREEMENT

E CESAR CHAVEZ STREET (80' R.O.W.)

N73°28'36"W 356.22' COA CENTERLINE



**Stantec**

221 West Sixth Street, Suite 600  
Austin, Texas 78701  
Tel. (512) 328-0011 Fax (512) 328-0325  
TBPE # F-6324 TBPLS # F-10194230  
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**SKETCH TO ACCOMPANY DESCRIPTION**  
OF 63 SQUARE FEET OF LAND SITUATED IN THE CITY  
OF AUSTIN, TRAVIS COUNTY, TEXAS BEING A PORTION  
OF THE EAST CESAR CHAVEZ STREET (80' R.O.W.)  
ADJACENT TO LOT 6 OF BLOCK 8 ORIGINAL CITY OF  
AUSTIN, BY THE MAP OR PLAT ON FILE AT THE  
GENERAL LAND OFFICE OF THE STATE OF TEXAS

**HKS, INC.**

**SHEET 1 OF 2**

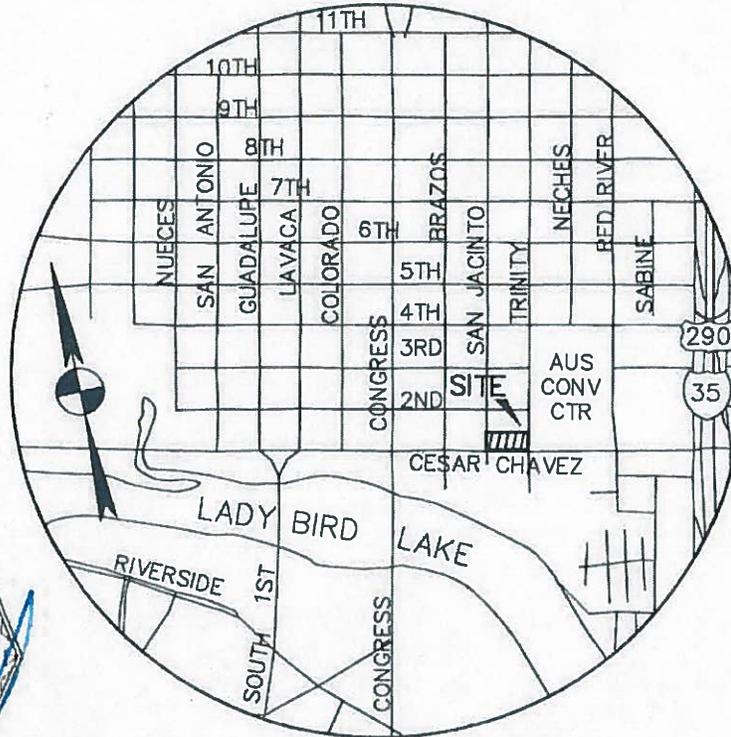
DATE: 05-10-17

DRAWN BY: MJJ

FN: 17-159(MJJ)

FILE: V:\222010160\SURVEY\222010160EX7.DWG

PROJECT No. 222010160



**VICINITY MAP**  
N.T.S.



**BEARING BASIS NOTE:**

THE BASIS OF BEARING OF THE SURVEY SHOWN HEREON IS TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83(96), UTILIZING WESTERN DATA SYSTEMS CONTINUALLY OPERATING REFERENCE STATION (CORS) NETWORK.

LINE TABLE		
NO.	BEARING	DISTANCE
L1	N73°28'36"W	0.92'
L2	S16°31'24"W	4.90'
L3	N62°37'47"W	26.02'
L4	S73°28'36"E	25.56'

**LEGEND**

- 1/2" IRON ROD FOUND
- 1/2" IRON ROD WITH "BURY" CAP SET
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT

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Austin, Texas 78701  
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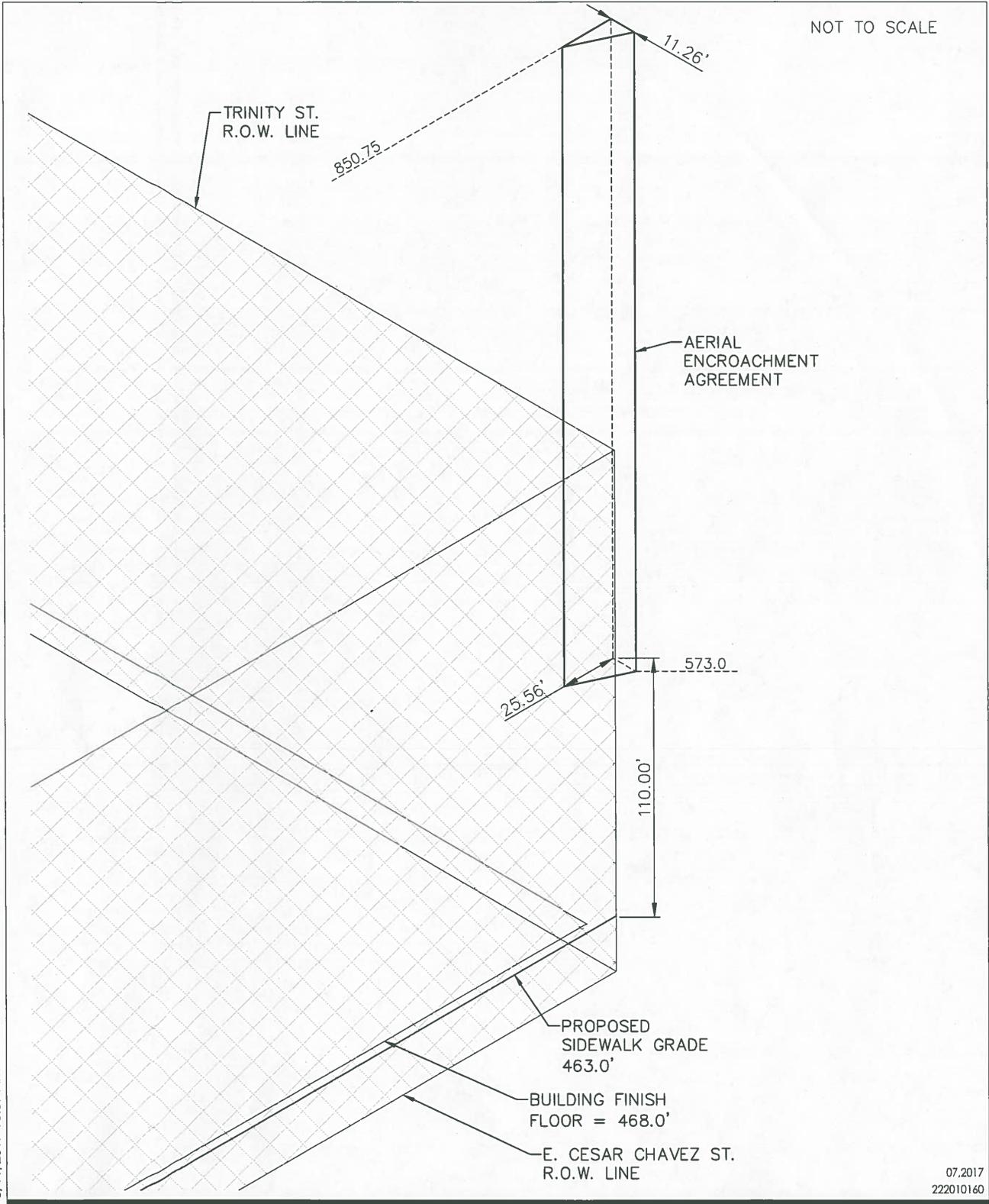
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**HKS, INC.**

**SHEET 2 OF 2**

DATE: 05-10-17    DRAWN BY: MJJ    FN: 17-159(MJJ)    FILE: V:\222010160\SURVEY\222010160EX7.DWG    PROJECT No. 222010160

V:\2220\ACTIVE\222010160\CIVIL\CAD\CD EXHIBITS\CESAR CHAVEZ ENCROACHMENT\ENCROACHMENTEXHIBIT 4.DWG  
5/11/2017 10:59 AM



221 West Sixth Street, Suite 600  
 Austin, TX 78701  
 TBPE # F-6324 TBPLS # 10194230  
 www.stantec.com

Client/Project  
 AUSTIN 20 HOTEL, LLC

MARRIOT HOTEL AT CEZAR CHAVEZ  
 Figure No.

Title  
 BUILDING ENCROACHMENT